

IDAHO FALLS REDEVELOPMENT AGENCY
P.O. BOX 50220
IDAHO FALLS, IDAHO 83405-0220

December 20, 2012

Regular Meeting
Minutes

Annex Conference Room

Call to Order: Chair Barnes called the meeting to order at 12:08 p.m.

Members Present: Chair Bob Barnes, Terri Gazdik, Tom Hally, Linda Martin, Lee Radford, and Brent Thompson.

Members Absent: Lee Staker.

Also Present: Ryan Armbruster, legal counsel (via phone); Renée Magee, Agency Executive Director; Thane Sparks, Agency Treasurer; Brad Cramer, Assistant Planning Director; and Debra Petty, Recording Secretary.

Approval of Minutes: Tom Hally moved to approve the minutes of September 20, 2012, as presented. Motion seconded by Brent Thompson. Motion passed.

Approval of Bills: Chair Barnes presented the finance report dated December 20, 2012. The following bills were presented to be paid from the Pancheri-Yellowstone Allocation Fund: Rudd & Company, \$500.00. The following bills were presented to be paid from the Snake River Allocation Fund: Burton Concrete, \$8,400.00; City of Idaho Falls, \$1,423,916.29; Redevelopment Association of Idaho, \$2,250.00; Elam & Burke, \$2,150.70; and Unitarian Universalist Church, \$2,760.00. The following bills were presented for ratification from the Snake River Allocation Fund: Taylor Crossing & Cutting Edge Electric, \$24,140.00; Taylor Crossing, \$43,433.00; Elam & Burke, \$3,070.25; ICRMP, \$2,368.45. The following bills were presented for ratification from the River Commons Allocation Fund: Elam & Burke, \$37.00. **Linda Martin moved to approve the bills as read. Motion seconded Tom Hally. Motion passed.**

Request of Taylor Crossing for Extension of Agency Participation on Riverwalk Drive.

Lorin Walker, Taylor Crossing, said an extension was granted by the board a year ago through the end of 2012. Security National Capital (SNC), who held title at the time, did not want to participate in financing the road project with the Agency. SNC was not comfortable with the complexities of a road project in which construction contractors will finance their work and be reimbursed from tax increment upon completion. This was the reason an agreement with the Agency was not reached last January. Walker is asking for another extension to the end of 2013. The Walkers anticipate being able to regain control of the land and wish to reach an agreement with the Agency.

Walker understands approval of the extension must meet the parameters for the sunset of the Snake River Urban Renewal Plan. He will present a new strategy prior to the next Agency meeting for review by the board. Chair Barnes said the original extension expired in December, 2011, and Taylor Crossing has been functioning without an agreement for all of 2012. He said the Agency still plans to assist in the funding of Riverwalk Drive. However, ownership of the

parcel, adjacent to Riverwalk Drive, must be determined before the Agency will give further consideration to the request.

Walker confirmed Riverwalk Drive will be a private road with an easement for public access in order to have participation by the Agency. The road is not constructed to city specifications. To discourage through traffic, a t-intersection is planned at Simplot Circle instead of the roundabout. He said the road will extend over the WATCO railroad line and connect to Broadway. Walker said the road will have a seal coat, and long term maintenance is their responsibility. He will provide details of ownership and engineering plans for approval by the board. No action was taken by the Agency.

Request of Thomas Development, Snake River Landing: Ryan Armbruster said Thomas Development informed the Agency adequate housing credits are available for construction of the apartment complex planned by Thomas Development. Ball Ventures executed a consent document acknowledging the project and agrees tax increment from the project will be dedicated to reimburse Thomas Development for road construction of Lochsa River Drive. An amendment to the existing Owner Participation Agreement (OPA) with Ball Ventures is required.

Request of Ball Ventures for Participation in Whitewater Drive. Eric Isom, Ball Ventures, said they are going through the platting process for Snake River Landing Division Nos. 6, 7, and 8. The Thomas Development project and two others cannot move forward without the extension of Whitewater Drive. They request participation of the Agency in the amount of \$500,000 to assist with construction of Whitewater Drive to the canal from Bluff Drive. The Agency may increase the note by that amount with repayment through tax increment.

Isom also discussed a request for Agency participation in a bridge over Porter Canal at Whitewater Drive. A bridge over the Porter Canal was never part of Ball Ventures' development plan. However, a condition of the development agreement with Idaho Falls for Division No. 6 is construction of one-half the bridge when the city determines it is necessary. They are willing to do this because it is a benefit to the public and the new development in Snake River Landing. Philosophically, it is difficult to pay the City's assessed road and bridge fee of \$70,000 for the twenty-six acres to be developed and another \$400,000 for their portion of the bridge. Isom said the bridge will connect Pioneer Road and Whitewater Drive. As it is a public benefit, he is asking the Agency to fund the bridge so there will not be a further increase to the note. Barnes said it does not appear the bridge is necessary at present for development of the project. He is not in favor of entering into an agreement to fund a bridge which provides access to a non-taxing entity outside the urban renewal area.

Isom said, as part of the development agreement, they must agree to construct a portion of the bridge or the plat will not be approved. Magee said this is City policy. If a developer owns land on both sides of a canal, it is the responsibility of the developer to fund a bridge. If a developer owns land up to the canal, the developer is required to fund one-half the bridge.

Armbruster said participation by the Agency to fund the bridge requires review of the district plan. Typically, the Agency funds the road to the boundary of the district. However, depending on the impact of Agency activities, the Agency has discretion to decide if they want to

participate in funding. Isom said it is a public benefit and hopes the Agency will assist. Magee said, if it is a 50% contribution, it will be \$200,000.

Clint Boyle, Horrocks Engineers, represents Ball Ventures for the platting of Division Nos. 6, 7, and 8, and is doing work with the events center. He is very familiar with the area. The bridge is a benefit but the developer never planned for a bridge over the Porter Canal. The bridge is not necessary for the functionality of their project. Per the development agreement for Division No. 6, the developer must fund one-half of the bridge when deemed necessary by the city. When land is platted, there is a road and bridge fee. In this case, the assessment is \$70,000. Boyle said the required bridge is beneficial for both sides of the canal especially upon completion of the events center. The traffic study indicates the bridge is not necessary for the events center. This is due to the peak hour traffic of the events center. Events Center Drive will connect Snake River Parkway to Pioneer Road. Boyle said the developer wants to cooperate but, as it is public benefit, hopes the Agency will fund their portion of the bridge. Boyle is asking for a letter of commitment from the Agency that they will participate in the funding for construction of the bridge. If the developer did not agree to construct one-half of the bridge to receive approval of the plat, the area will not be developed and tax increment will be lost. Isom said, if they do not have to construct a portion of the bridge, their funds could go toward other amenities.

Magee said, as director of the Planning and Building Division, not director the the Agency, the issue is one of connectivity or cross-travel between parts of the City and compliance to the subdivision ordinance. Presently, the land to the west of Porter Canal relies on Pioneer Road and land to the east relies on Snake River Parkway. She understands the developer does not want the bridge. Eventually the city needs two bridges crossing the Porter Canal to reduce block length and improve emergency access. She said it is important to planning staff, engineering, and planning commission to have the connection. Due to the development in Snake River Landing and the events center, the Fire Marshal wants to ensure adequate access for emergency vehicles from several directions.

Tom Hally said one mission of urban renewal is economic development. If it is legal, he is in favor of allocating Agency funds toward the bridge. Radford believes the request is premature and things will look much different when the events center is complete. It is an important entry to the area and he is willing to keep an open mind. Brent Thompson said there is validity for consideration of the two-way traffic, but he needs more information. Armbruster will look at legality of Agency participation.

Lee Radford asked for clarification on the projects planned for this area. Isom said Division No. 6 is the Thomas Development project with forty-eight senior housing units. Division No. 7 is the new office buildings with a total of 112,000 square feet. Division No. 8 is a 160 apartment complex. Magee said construction costs for Whitewater Drive are estimated to be close to a million dollars. If accurate, the participation by the Agency will be slightly below \$500,000 and should be repaid from increment in five to six years. **Tom Hally moved to approve a letter substantiating Agency participation in the construction of Whitewater Drive in an amount not to exceed \$500,000 or 50% of the cost, whichever is less, and amending the Owner Participation Agreement. Motion seconded by Lee Radford. Motion passed.**

Election of Officers:

Tom Hally moved to nominate Lee Radford as Agency Chair. Motion seconded by Brent Thompson. Motion passed.

Linda Martin moved to nominate Terri Gazdik as Secretary/Treasurer. Motion seconded by Brent Thompson. Motion passed.

Brent Thompson moved to nominate Bob Barnes as Vice Chair. Motion seconded by Terri Gazdik. Motion passed.

Confirmation of officers and terms will occur at the January, 2013, Agency meeting.

Redevelopment Association of Idaho: Magee said the focus of the Association this year will be on the proposed repeal of personal property taxes. The Association is working with the Association of Idaho Cities (AIC). AIC has taken the position that, if personal property taxes are repealed, the revenue lost by local governments must be replaced at the State level. A recent State Tax Commission report documented personal property taxes are 15% of the revenues of the Snake River Urban Renewal District; 10% of River Commons Urban Renewal District revenues; and 22% of the Panchari-Yellowstone Urban Renewal District revenues. The revenues from personal property taxes are estimated to be about 6% of the revenues from the Walker parcels.

The meeting adjourned at 1:20 p.m.

Respectfully submitted,

Debra Petty, Recording Secretary